


RICHARD BELL,)
)
Plaintiff,)
)
v.) Case No. 4: 19 CV 1320 RWS
)
GATEWAY BLEND, LLC,)
)
Defendant.)

Defendant moves to strike plaintiff's memorandum in opposition to its motion for judgment on the pleadings because it was filed beyond the time deadline provided by the local rules. The motion is denied. The case management order entered in this case on October 10, 2019 provides that opposition briefs to motions for judgment on the pleadings shall be filed "no later than thirty days after the motion." (Doc. 11 at 2). The deadlines provided in the case management order govern the timeliness of plaintiff's response, and plaintiff's opposition – filed 21 days after the motion for judgment on the pleadings – was timely filed. As defendant still has nine days under the provisions of the case management order to file its reply brief in support of its motion for judgment on the pleadings, its motion for extension of time will be denied.

IT IS HEREBY ORDERED that the motion to strike [25] and motion for extension of time [27] are denied, and plaintiff's motion for leave to file response out of time [28] is denied as moot.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 11th day of March, 2020.